



Neighborhood Economic Development Advocacy Project
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MEMO ENDORSED

September 21, 2007

Hon. P. Kevin Castel
United States District Judge
Southern District of New York
500 Pearl Street, Room 2260
New York, NY 10007

Re: *Zarate v. D.L. Recovery Corp.*, No. 07-CV-06673 (PKC)

Dear Judge Castel:

Plaintiff writes respectfully to request an adjournment of the initial scheduling conference, currently scheduled for September 28, 2007. This is Plaintiff's first request for an adjournment.

On August 27, 2007, counsel for Plaintiff learned from our process server that Defendant D.L. Recovery Corp. had moved from its former address at 3924 East Tremont Avenue in the Bronx. Defendant's former telephone number is disconnected, and its web site is down. We have made diligent efforts, but we have been unable to locate a physical address for the defendants. On September 18, 2007, we served the corporate defendant at the office of the New York Secretary of State. We have not served the individual defendants. Defendants have not contacted us. We do not know whether Defendants are aware of next Friday's conference, and we believe that it is highly unlikely that they will make an appearance. Defendant D.L. Recovery's Answer is due on October 9, 2007.

Thank you for your consideration of this request. If you have any questions, please call me at 212-680-5100.

Sincerely,

Claudia Wilner
Attorney for Plaintiffs

Cc: Edward Josephson (cocounsel)

*Conferred
adjourned from
September 28 to
October 19, 2007
at 11:15am*
*SO ORDERED
JSD
9-21-07*